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Attorneys for Defendant GROCERY OUTLET, INC.

IN THE UNITED STATES DISTRICT COURT
THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

GARDEN MEADOW, INC., a Connecticut Corporation,

Plaintiff,

v.

GROCERY OUTLET, INC., a California Corporation doing business as GROCERY OUTLET and as IDEAL DISTRIBUTING

and

JOHN DOES Numbers 1 through 99,

Defendants.

Case No. 5:12-cv-04811-LHK (PSG)

**STIPULATION AND ~~PROPOSED~~
ORDER EXTENDING THE TIME TO
FILE A RESPONSIVE PLEADING**

Pursuant to Local Rule 6-1(a), plaintiff Garden Meadow, Inc. (“Garden Meadow”) and defendant Grocery Outlet, Inc. (doing business as Grocery Outlet and Ideal Distributing) (“Grocery Outlet”), hereby stipulate as follows:

a. WHEREAS the complaint and summons was served on Grocery Outlet on September 20, 2012;

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1 b. WHEREAS Garden Meadows and Grocery Outlet previously stipulated to extend
2 the time by which Grocery Outlet must file a responsive pleading to the complaint to October 30,
3 2012;

4 e. WHEREAS Garden Meadows and Grocery Outlet desire additional time to attempt
5 to resolve the action and/or attempt to narrow the areas of dispute between the parties before
6 Grocery Outlet files a responsive pleading;

7 f. WHEREAS neither party believes this extension will substantially impact the
8 overall case schedule;

9 g. THEREFORE, Garden Meadows and Grocery Outlet, by their respective
10 undersigned counsel, stipulate and agree as follows: the deadline for Grocery Outlet to file a
11 responsive pleading to the complaint shall be extended to November 9, 2012.

12 **IT IS SO STIPULATED.**

13
14 Dated: October 30, 2012

WATT, TIEDER, HOFFAR
& FITZGERALD, L.L.P.

15
16 By: /s/ Kyle Anne Citrynell
17 Kyle Anne Citrynell
18 Attorneys for Plaintiff
GARDEN MEADOW, INC.

19 Dated: October 30, 2012

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21 By: /s/ Sanjay M. Nangia
22 Sanjay M. Nangia
23 Attorneys for Defendant
24 GROCERY OUTLET, INC.
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Pursuant to Local Rule 5-1, I am the ECF user whose identification and password are being used to file this document. I attest that concurrence in the filing of this document has been obtained from stipulating plaintiff. I have retained records to support this concurrence for subsequent production for the Court, if so ordered, or for inspection upon request by a party, until one year after the final resolution of the action (including appeal, if any).

By: /s/ Sanjay M. Nangia
Sanjay M. Nangia
Attorneys for Defendant
GROCERY OUTLET, INC.

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1 **IT IS SO ORDERED.**

2
3 Dated: Qevqdt'53, 2012

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5 _____
6 Hon. Lucy H. Koh, United States District Judge
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PROOF OF SERVICE

I, Katie Nelson, declare under penalty of perjury under the laws of the State of California that the following is true and correct:

I am over the age of 18 and am an employee of Davis Wright Tremaine LLP, and my business address is 505 Montgomery Street, Suite 800, San Francisco, California 94111-6533.

On October 30, 2012, I served the following documents through the Court's electronic filing system:

STIPULATION AND [PROPOSED] ORDER EXTENDING THE TIME TO FILE A RESPONSIVE PLEADING

The above document was served electronically on all parties to this case through the Court's electronic mail system as indicated below:

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☒ STATE I declare under the laws of the United States of America that I am employed in the office of a member of the Bar of this court at whose direction the service was made and that the foregoing is true and correct.

Executed on October 30, 2012, at San Francisco, California.

/s/ Katie Nelson
 Katie Nelson